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8 **UNITED STATES DISTRICT COURT**
9 **NORTHERN DISTRICT OF CALIFORNIA**
10 **SAN FRANCISCO DIVISION**

11 JOHN L. BERNSTEIN, IV,
12
13 Plaintiff,

14 v.

15 TARGET STORES, INC., et al,
16 Defendants.

Case No. 13-cv-01018 NC

ORDER TO REFILE MOTION

Re: Dkt. No. 26

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18 On May 22, 2013, plaintiff John Bernstein, IV, proceeding pro se, filed a “Motion and
19 Leave to File Amendment to Complaint and Joinder of Additional Parties Claiming
20 Emotional Distress and Additional Causes of Action.” Dkt. No. 26. The motion was not
21 noticed for a hearing. *See* Civil L.R. 7-2 (requiring that “all motions must be filed, served
22 and noticed in writing on the motion calendar of the assigned Judge for hearing not less
23 than 35 days after service of the motion”). In addition, the motion fails to append the
24 proposed amended complaint. *See* Civil L.R. 10-1.

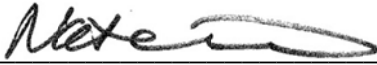
25 By June 5, 2013, plaintiff must refile his motion for leave to amend the complaint to
26 correct the deficiencies identified in this order.

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1 The deadlines for response and reply in connection with docket entry No. 26 are
2 vacated.

3 IT IS SO ORDERED.

4 Date: May 23, 2013


Nathanael M. Cousins
United States Magistrate Judge